

Charles Talbert  
 No. 810247  
 CFCF  
 7901 State Road  
 Phila. PA. 19136

September 30, 2019

United States District Court  
 Eastern District of Pennsylvania  
 Charles Talbert Civil Action No. 18-1620-MAK  
 v. Plaintiffs Opposition In Response  
 Shaniqua Ford, et al To Defendants' Motion To Strike

Plaintiff, hereby submits his opposition in response to Defendants motion to strike, and in support thereof represents:

# I. Issues Against New Defendant(s) Are Material And In Correlation To The Original Issues

In the original complaint, Plaintiff sued Commissioner Blanche Carney, and Warden Terance Clark, and Gerald May for retaliating against him for filing grievances and lawsuits against them and other prison staff members. In the amended complaint, Defendant Ford also retaliated against Plaintiff by going out of her way to have Plaintiff assaulted for the lawsuit filed against Carney. When the assault occurred, Carney was informed of Fords actions, and still covered up Fords conduct without infraction. Instead, Carney assigned Lieutenant Eric Murray to the investigation, knowing that the two are close and that Ford would not be in trouble. The acts and omissions of Ford reflect the ongoing civil matter with Carney. Had he not had a lawsuit against Carney, Ford would not have caused Plaintiff to be assaulted.

## II. Imminent Danger

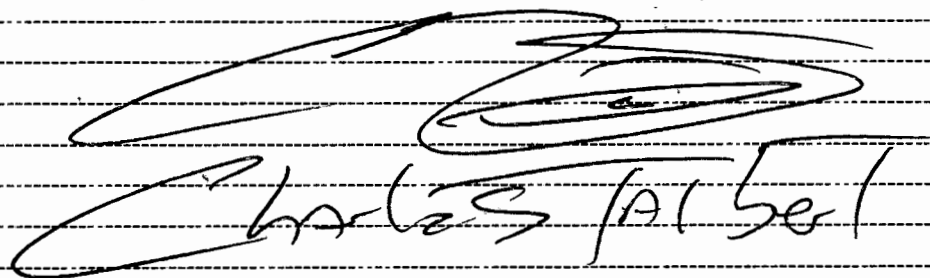
As aforementioned, Fords' conduct caused Plaintiff to be assaulted for the lawsuit filed against Carney. Ford has, and still is, a correctional officer at

CFCF, while the inmate to whom assaulted Plaintiff is too. Carney did not move neither Ford or Knox to another prison. Ford also speaks with other inmates besides Knox, and if she can get one inmate to assault Plaintiff while not looking, its very possible, and foreseeable, that she can cause this to happen again. Second, Carney caused Knox to be arrested for assaulting Plaintiff, to which now Knox has informed almost the whole Philadelphia Department of Prisons that Plaintiff is telling on him, when in all actuality Plaintiff informed the police that he did not want to press charges just for that purpose. Carney knew that Plaintiff would be labeled a snitch for her actions. Attached is the subpoena that Plaintiff was given by prosecutors. Plaintiff is at serious risks of danger should Knox stay at CFCF and continue to inform others of this assault case that Ford orchestrated by Plaintiff's lawsuits against Carney and other prison staff.

### Conclusion

WHEREFORE, this Honorable Court has already given Plaintiff permission to allow the aforementioned civil amended complaint to proceed, so that fact and all material reasons herein, the amended complaint should continue to discovery, and the Defendants motion to strike pursuant to the Aforesaid facts and (collateral estoppel) should be denied, AS this issue has already been litigated where it was accepted on May 7, 2019.

9-30-19

 Charles A. Sel

## WITNESS SUBPOENA

Case Number	Commonwealth (El Estado) vs.	PID
MC51CR-0023997-2019	ZHYARE KNOX	1176167

CHARLES TALBERT  
8001 STATE RD  
PHILADELPHIA PA 19136-2908

THE PHILADELPHIA MUNICIPAL COURT  
CRIMINAL DIVISION  
COURT OF COMMON PLEAS OF PHILADELPHIA  
TRIAL DIVISION CRIMINAL SECTION  
CRIMINAL JUSTICE CENTER, 1301 FILBERT ST.

APPEAR IN		
ON Date Fecha	Courtroom Corte Sala	AT Time Hora
09/26/2019	0703	08:00AM
CJC - 1301 FILBERT ST.		

You are commanded by the COURT to appear in this case, at the precise time and place indicated above.  
This subpoena shall be continuing and shall remain in force until the termination of the above criminal proceeding.

Usted está ordenado por la CORTE a comparecer como testigo en éste caso en el sitio y la hora indicada.  
Esta cita será continúa y quedará vigente hasta la terminación de los actos criminales arriba mencionado.



*Maisha A. Nigild*  
President Judge, Municipal Court



*Theresa Wind-Skinner*  
President Judge, Court of Common Pleas

This subpoena, dated 09/17/2019, supercedes any previous subpoena regarding this case.

For additional information, please see other side.

Return this portion IMMEDIATELY.  
Use the return prepaid envelope.



\* 3 3 3 5 6 5 6 \*

Devuelva ésta porción IMMEDIATAMENTE.  
Use el sobre prepagado proveído con ésta cita

Case# Commonwealth vs.  
MC51CR-0023997-2019 ZHYARE KNOX

Date Room Time  
09/26/2019 0703 08:00AM

Please list phone number and time you can be contacted.  
Si por alguna razón éste caso tiene que ser continuado deje  
un número de teléfono y hora donde pueda ser notificado.

Home: \_\_\_\_\_ Work: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_

Comments: \_\_\_\_\_

ADA: \_\_\_\_\_

Unit: MCU

I acknowledge receipt of this subpoena. I will appear  
as scheduled. Yo admito haber recibido ésta cita y  
compareceré como es ordenado.

Signature of Witness

CHARLES TALBERT





District Attorney

**DISTRICT ATTORNEY'S OFFICE**  
THREE SOUTH PENN SQUARE  
PHILADELPHIA, PENNSYLVANIA 19107-3499  
215-686-8000

Friday, September 20, 2019

Mr. CHARLES TALBERT  
7901 STATE RD  
Philadelphia PA 19136

Dear Mr. TALBERT :

This is to advise you that the Private Criminal Complaint that was prepared for you by this office on 9/20/2019 against BLANCHE CARNEY

has been disapproved by an Assistant District Attorney for the following reason (s):

Prosecutorial Discretion; Matter not appropriate for a Private Criminal Complaint.  
Obtain an attorney to pursue civil remedy.

If you wish to appeal this decision, you or your attorney must come into my office at 1425 Arch Street, 4th Floor, and file your appeal by 10/20/2019

Sincerely,

Hassell, Schanda  
Criminal Complaint Unit

260991

Received Denial Letter \_\_\_\_\_

*copies was sent to U.S. Attorney General  
in Washington, DC*



District Attorney

**DISTRICT ATTORNEY'S OFFICE**  
THREE SOUTH PENN SQUARE  
PHILADELPHIA, PENNSYLVANIA 19107-3499  
215-686-8000

Friday, September 20, 2019

Mr. CHARLES TALBERT  
7901 STATE RD  
Philadelphia PA 19136

Dear Mr. TALBERT :

This is to advise you that the Private Criminal Complaint that was prepared for you by this office on 9/20/2019 against GERALD MAY

has been disapproved by an Assistant District Attorney for the following reason (s):

Prosecutorial Discretion; Matter not appropriate for a Private Criminal Complaint.  
Obtain an attorney to pursue civil remedy.

If you wish to appeal this decision, you or your attorney must come into my office at 1425 Arch Street, 4th Floor, and file your appeal by 10/20/2019

Sincerely,

Hassell, Schanda  
Criminal Complaint Unit

260992

Received Denial Letter \_\_\_\_\_



District Attorney

**DISTRICT ATTORNEY'S OFFICE**  
THREE SOUTH PENN SQUARE  
PHILADELPHIA, PENNSYLVANIA 19107-3499  
215-686-8000

Friday, September 20, 2019

Mr. CHARLES TALBERT  
7901 STATE RD  
Philadelphia PA 19136

Dear Mr. TALBERT :

This is to advise you that the Private Criminal Complaint that was prepared for you by this office on 9/20/2019 against TERRANCE CLARK

has been disapproved by an Assistant District Attorney for the following reason (s):

Prosecutorial Discretion; Matter not appropriate for a Private Criminal Complaint.  
Obtain an attorney to pursue civil remedy.

If you wish to appeal this decision, you or your attorney must come into my office at 1425 Arch Street, 4th Floor, and file your appeal by 10/20/2019

Sincerely,

Hassell, Schanda  
Criminal Complaint Unit

260993

Received Denial Letter \_\_\_\_\_

RECEIVED

Charles Talbert

MAR 19 2019

PPN: 810247

PHILADELPHIA PRISONS  
COMMISSIONER'S OFFICE

A13-18 cell

March 13, 2019

Re: Request For Compensation To Avoid  
New LawsUIT And/or Criminal Charges

Dear Commissioner:

Kindly note that on February 27, 2019, one of your officers, S. Ford, caused me to become assaulted by another inmate, by telling that inmate, Thayer Knox, "in A Switch."

S. Ford, between February 25<sup>TH</sup>, and 27<sup>TH</sup>, was calling me a "jailhouse switch", several times, to inmates on unit C2 pod 3.

As the Commissioner, and Defendant in several lawsuits; with knowledge of my history with prison staff within the PDP due to lawsuits, you should have ensured my safety in two possible ways:

- (1) transferred me to another county (not in PDP jurisdiction) while awaiting trial (e.g. Montgomery, Bucks, etc); or
- (2) housed me on a unit where only "older" men are housed, and not around crash dummies in their mid-twenties looking to make a name.

However, under the Federal Crimes Code Title 18, USC Section(s) 241 and 242, both you and S. Ford can receive up to 10-20 years for causing a Federal Plaintiff my injuries.

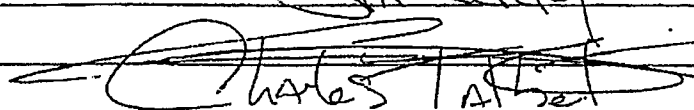
This is also a matter, definitely, that the Federal Judge would discipline you for both civilly and criminally.

However, I am willing to cease and civil and/or criminal litigation, in regards to the above mentioned Assault Against you and S. Ford, if you are willing to reasonably compensate me in the form of:

- (1) Keep me housed on D14, in a single cell (per medical issues) with decent staff (Sgt. Romney has to be moved to another area); and
- (2) A \$250<sup>00</sup> commissary bag (including a walk man).

Should we cant come to this reasonable ~~Agree~~ Agreement, to avoid criminal and civil litigation, I will have my lawyer begin all necessary paperwork for the investigation from the FBI to begin.

Thank you for being reasonable and for your time.

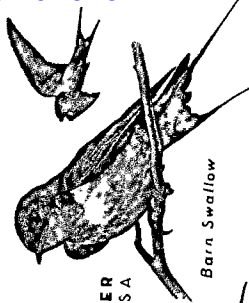
Sincerely  
  
 Charles A. Ford



*D. Talbert*  
Philadelphia Department of Prisons  
Philadelphia, PA 19136  
PPN 810247

U.S.M.S.  
X-RAY

FOREVER  
USA



Barn Swallow

U.S. Clerk of Court  
U.S. Courthouse  
601 Market Street  
Philadelphia PA 19106

19106\$1729 0019

19106\$1729 0019